

February 18, 2004

David McKay, CSP Coordinator
C/o Conservation Operations Division
NRCS
P.O. Box 3890
Washington, D.C. 20013

Dear Mr. McKay:

Since you have so many regions of the country to deal with on the issue of USDA's Conservation Security Program (CSP), and everyone always assumes that you are familiar with their particular part of the country, I wanted to take this opportunity to introduce myself and the area known as the Indian River Citrus District of Florida.

Our mainstay commodities produced in this area for years have been citrus and cattle. However, within recent years, the urbanization plight of South Florida has dramatically increased the horticultural nursery trade as well as the landscape business for agriculture. However, the nursery and landscape businesses are very limited in land area and size, and more aligned with the housing population dynamic.

As I entered the scene as a young cooperative extension agent from the University of Florida, I was met with a phenomenal increase of growth in citrus acreage for this area. As time progressed, and grapefruit / orange prices fluctuated and fell, the land gradually has been lost to development, real estate sales, urbanization, speculation, etc. The influx of housing and people to this area is phenomenal, as well as incredible to say the least. The cost of doing business for the grower is: 1) no secure future for his depreciating costs of maintaining a grove, 2) no return for the benefit of greenbelt or transitional zoning, 3) no benefit for oxygenation filtration, porosity, carbon sequestration, etc. on the land, 4) tremendous benefits to sell, alleviate taxes, regulation, bad prices, worker's compensation, and community negativity.

The question before America right now is: "Are we willing to pay the farmer for the privileges we enjoy at his expense?" Many farmers and ranchers now claim their land is worth more for hunting, fishing, or housing, rather than farming. I can readily see in the U.S. where these are leisurely privileges people will gladly pay for, rather than produce farm commodities which cost less than 10% of the annual household income.

In our section of the country, I believe there are certain attributes of the environment in which citrus unknowingly participates, and the growers get very little credit. First of all, the oxygen produced on a square foot basis is tremendous. Citrus trees are perennials, and unlike pine trees

(conifers / forestry) their broad leaves (stomates) produce * acres of oxygen for the atmosphere. There exists no credit for the grower's contribution in this area. However, urban sectors and cities receive tremendous grants to plant trees. In our Florida commentary sessions, Mr. Mike Ziegler, Agriculture Resource Management, introduced the importance of carbon sequestration. I heartily agree that the citrus groves are an ideal source for the application of animal manures (waste management), and urban plant debris (landfills). The problem with this scenario is not the citrus grower, but the politician. A grower must pay at the least \$26 a ton to haul the materials to his property, and then apply at recommended band rates. This cost incurred by the grower is not feasible as compared to cheaper commercial inorganic fertilizer usage. Therefore, most growers opt out of the recycle / sustainable/ regeneration business with wastewater as well as landfill urban debris, because of the personal cost incurred. The politicians practice indifference, they do not want to incur the wrath of their constituents for increased wastewater disposal and utility rates, which would be necessary to alleviate landfill accumulations and disperse to the growers. In truth, the urban sector (generators) should be paying the growers to alleviate, disperse and regenerate carbon to the soil, as well as the filtration / regeneration of ground waters. Best management practices (BMPs) education with growers and their employees will continue to alleviate past agricultural environmental problems, but, is it too late to educate the public about the positives of transitional land areas?

The usage of herbicides (a cost saving / time saving factor for growers) has allowed the volatilization of carbon (major plant element) from the organic matter of our soils. Reintegration of urban plant debris and manures to the soil will assist growers towards good stewardship in best management practices (BMPs) with renewed organics, moisture retention, nutrient retention, soil temperature, root development, carbon sequestration, biorganisms, etc. This can only be accomplished and facilitated by communities using the grower as a regenerator and a recyclical source for urban plant debris animal wastes, and wastewaters. Instead, wastewater here is injected by deep wells into "porous" rock layers, which will eventually cause innumerable problems for future generations. The lack of oxygen does not preclude anaerobic organisms activity in wells, nor does it preclude aerobic organisms as the water makes its way upward in the future. To dilute wastewater by deep well injection, without the natural biosynthesis of soil microorganisms for regeneration, will cause problems in the future. If it's so good to inject, then why don't we drink it? At least the politicians can tell people the good news / bad news scenario, plenty of water to drink, but whose septic is it?

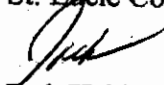
Finally, the water problem always raises its ugly head in public matters with urbanization. Agencies always claim a large usage by agriculture in terms of irrigation, but no credit is given to the land surface as a porous, filtration, regeneration system for rainfall events. Microirrigation of surface and subsurface waters by growers allows for the continued filtration and porosity of those waters, which eventually go into canals, reservoirs, streams, etc. On the other hand, the grower pays for consumptive use permits, taxes, drainage, etc. (water management districts), but no credits are given back for storage, filtration, absorption, porosity, or any of the numerous best management practices (BMPs), in which the urban sector benefits. Because of this, the rural transitional zones are disappearing to urban encroachment, and we are losing those benefits.

* A citrus grove will produce approximately 15,575 gallons of oxygen per acre per day. A thousand acre grove will then produce 15,515,000 gallons of oxygen per day. St. Lucie County alone has lost approximately 18,000 acres of groveland within the last three years. You do the math per year.

In closing, I would like to thank you for the opportunity to express these views as commentary. If I can be of any assistance towards clarification or modification, please feel free to call on me.

Respectfully yours,

St. Lucie County Cooperative Extension



Jack Hebb

Multi-County Citrus Agent IV

JWHB/sl

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Conservation Security Program Comment Sheet

Publication of the proposed rule for the Conservation Security Program (CSP) on January 2, 2004, marks the start of the 60-day public comment period. Public comment will be an important part of creating the Conservation Security Program. You may access it via the Internet through the NRCS home page at <http://www.nrcs.usda.gov>. Select "Farm Bill." People can submit comments to david.mckay@usda.gov or mail their comments to Conservation Security Program Comments, ATTN: David McKay, Conservation Operations Division, NRCS, P.O. Box 2890, Washington, D.C. 20013.

Comments are sought on all facets of the program. The intent of this document is to summate those areas. You are encouraged to refer to the proposed rule publication for detailed information.

1. **Preferred Approach (page 197):** Under the constraints of a capped entitlement, the Secretary has proposed ways to still deliver an effective CSP program. NRCS is proposing an approach based on five elements. Comments are requested on this overall approach:

- **Limit sign-ups:** Conduct periodic CSP sign-ups
- **Eligibility:** Criteria should be sufficiently rigorous to insure that participants are committed to conservation stewardship. Additionally, eligibility criteria should ensure that the most pressing resource concerns are addressed.
- **Contracts:** Requirements should be sufficiently rigorous to ensure that participants undertake and maintain high levels of stewardship.
- **Enrollment categories:** Prioritize funding to insure that those producers with the highest commitment to conservation are funded first.
- **Payments:** Structure payments to ensure that environmental benefits will be achieved.

(A more detailed description of this approach can be found on page 197 under the heading *NRCS Preferred Approach*.)

Comments: _____

2. **Funding Enrollment Categories (page 198, 3rd column).** Under "4. Prioritize Funding To Ensure That Those Producers With the Highest Commitment to Conservation Are Funded First," NRCS is inviting comment on how to handle situations where there may be insufficient funds for all enrollment categories.

In closing, I would like to thank you for the opportunity to express these views as commentary. If I can be of any assistance towards clarification or modification, please feel free to call on me.

Respectfully yours,

St. Lucie County Cooperative Extension



Jack Hebb

Multi-County Citrus Agent IV

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PUTNAM

Soil and Water Conservation District

215 SOUTH OAK STREET • OTTAWA, OHIO 43875 • PHONE (419) 523-5159

February 23, 2004

David McKay
Attention: Conservation Security Program
Conservation Planning Team Leader
Conservation Operations Division
USDA NRCS
PO Box 2890
Washington, DC 20013-2890

Dear Mr. McKay:

I am writing in support of the original Conservation Security Program, authorized under the 2002 Farm Bill. Northwest Ohio is primarily farmland, and the original provisions of this program would encourage farm landowners to implement conservation practices to improve the watersheds in this part of the country.

However, it is my understanding that the CSP is being significantly altered. It is being changed from an uncapped entitlement program to a capped entitlement, limited to \$3.8 billion over 10 years. It is also being targeted to a limited number of yet-unnamed watersheds. It would also significantly lower the limits on cost-sharing and restrict the types of practices eligible for the program. Also, it would require producers to address resource concerns before they enroll in the program, discouraging them from using good conservation practices.

I feel the CSP needs to include several features to encourage the use of sound conservation practices, including open enrollment and continuous signup to all eligible producers nationally with no targeted watersheds; provide full cost-share, maintenance and base payments as originally intended in the program; remove the limitation of types of practices eligible for payment; and allow farmers to use CSP to address their resource concerns after enrollment.

Please consider these suggestions as a means of restoring CSP to its original state. Thank you.

Sincerely,

Doug Duffat, Program Administrator
Putnam Soil & Water



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STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
JEFFREY R. VONK, DIRECTOR

February 26, 2004

David McKay
Conservation Operations Division
Natural Resources Conservation Service
P.O. Box 2890
Washington, D.C. 20013-2890

Dear Mr. McKay:

The proposed Conservation Security Program (CSP) rule fails to implement the programs as written in law and fails in the NRCS publicized objective of "reward the best and motivate the rest." The proposed rule does provide for a supplemental rule. Without major changes, such as in a supplemental rule, the CSP as proposed, will fail the environment, agriculture, the public and the law. Specific comments reflect these overarching concerns.

Congress passed and the President signed the 2002 Farm Bill containing CSP as an entitlement program with no spending limits. At the time these rules were written, CSP was defined as a capped entitlement program by the '03 omnibus bill. However, with passage of the '04 omnibus, the program is once again an uncapped entitlement. The rules must reflect this change. Budget constraints for either financial or technical assistance are inappropriate in rules to implement a program. This issue should be handled administratively similar to other conservation title programs such as The Conservation Reserve Program.

Eligibility for participation is not restricted in the law and should not be restricted by rule. The proposed watershed approach as an eligibility restriction should be removed and replaced with all producers being eligible for the program.

The law clearly identifies all resource concerns as eligible for the program. The rules should reflect this and include all natural resource concerns as identified in The NRCS Field Office Technical Guide. Restricting eligibility to soil quality and water quality will not meet the needs of producers having other valid concerns such as wildlife habitat.

Eligible practices, proposed under the rule, are also inconsistent with the law. The statute only limits payments for certain equipment or facilities in section 1238C(b)(3). The law requires payment for all other vegetative, management and structural practices that are necessary for the practice to work properly. The rule should reflect the law.

Many aspects of the rule are burdensome and appear designed to discourage participation. The multi-step process including self-screening questionnaires, benchmark condition inventory and finally the application is not the way to "reward the best and motivate the rest." This will discourage the committed and drive the rest away. The entire process needs to be simplified and consistent so producers can make applications to the program without undo effort.

The cost share payments as proposed do not "reward the best and encourage the rest," nor are they consistent with the law. The statute limits cost share to 75% or 90% for beginning farmers. The rule assumes adequate funding in EQIP as an alternative to lower cost share in CSP. In fact, EQIP is over-subscribed and has not met the present demand in Iowa. In addition, Congress identified assisting producers to become compliant with environmental regulations as a primary objective of EQIP while CSP was planned to reward good stewards. This section needs to be rewritten to provide adequate incentives for participating in the program

The base payment as written does not "reward the best and motivate the rest" nor is it consistent with the law. The rule needs to be revised to follow the law and use the national rental rate or to use an appropriate rate when the national rental rate does not accurately reflect the lower rental rate.

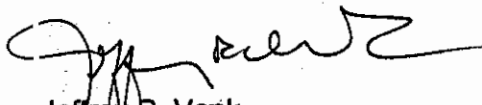
The non-payment for required work as proposed in the rule does not "reward the best and motivate the rest." Very few land rental agreements extend for five years in Iowa and few farmers could implement all requirements in the CSP contract without this type of agreement. The rule should be revised so the decision on which land to enroll is determined by the producer.

The proposed rule concentrates decision making for the program at the national level. This is inconsistent with implementation of all other conservative title programs that allow state technical committees significant input into the management of those programs at the state level. It is also inconsistent with the present and past Farm Bills that establish state technical committees for the purpose of providing guidance to USDA on Conservation Title Program implementation. Specifically, the law requires "the conservation priorities of a state or locality in which an agricultural operation is situated shall be determined by the State Conservationist in consultation with (i) the State Technical Committee established under Subtitle 6, and (ii) local agricultural producers and conservation working groups." The rule should be revised to provide states bona fide input into implementation of this program.

To provide a foundation for a successful long-term program the rule must be rewritten. The inconsistencies with the law are too numerous to overcome with editing. The financial situation is vastly different than when these rules were drafted, and the rules should reflect the financial aspects as written in the law.

The budget limitations in fiscal year 2004 should be addressed administratively. This could include limiting contract length, focusing on enhancement payments or providing state conservationists the authority to implement a program within broad national guidelines.

Sincerely,



Jeffrey R. Vonk
Director